

August 9, 2005

Present: Tom Tanous, Chair; Don Pickard, Peter Hersee, Selectmen
Also Present: Jeff Chelgren, Town Administrator; Catherine Tinsley, Secretary

Mr. Tanous opened the meeting at 7:31 PM.
He identified the agenda and welcomed those in attendance.

ANNOUNCEMENTS

Mr. Pickard congratulated the H/W Little League on attaining second place out of 18 teams in the Jimmy Fund Finals.

OLD BUSINESS

Special Town Meeting – October 4, 2005

Mr. Tanous identified that the BOS will call a Special Town Meeting and set the date for October 4, 2005 with an override vote, if needed, on October 6, 2005.

Mr. Hersee moved that the BOS vote to call a Special Town Meeting for October 4, 2005 and to open the warrant for the meeting.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Tanous identified potential Articles for the Special Town Meeting Warrant.

Al Klebe, Chair of the Historic District Commission, presented the Town Administrator with an Article from the HDC for consideration for placement on the Special Town Meeting warrant.

Mr. Chelgren summarized the Article saying that it requests additional funding to renovate the town hall building.

Mr. Darling, Chair of the Town Hall and Police Station Building Committee was present and made a recommendation to the BOS for a change in the Wenham protective zoning bylaw to create a Municipal District to include the land on which the existing town hall building is located at 138 Main Street. This will take the town hall out of the residential district.

He went on to identify that the BC recommends that the town consider this amendment for the present buildings to be constructed or renovated on the site in order to facilitate the permitting process and prevent costly appeals.

Mr. Hersee moved to accept the proposed bylaw for the creation of a Municipal District and refer it to the Planning Board for consideration.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Darling briefly explained that municipal buildings should be exempt from the bylaws that require variances and permits. He cited the current height as an example identifying that the current residential height limit is 35' and the Town Hall building is 39'. He added that this bylaw change would affectively approve what is already there.

Pleasant Street / Pond

Mr. Chelgren identified the concerns of the residents in the Pleasant Pond neighborhood.

The PPNA (Pleasant Pond Neighborhood Association) told the BOS that they would like the moratorium to be resolved quickly so Hamilton/Wenham Residents can enjoy the beach. They also said that they are concerned that when the moratorium is lifted, that there will have been no resolution to the problems at the beach and therefore submitted the following suggested solutions:

- restrict parking to H/W residents
- limited parking hours between 9AM -6PM

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- 24 hr parking for fishing outside of the traditional parking area.
- prohibition of dogs in beach area during the summer season noting safety and health consideration of dogs on the beach and in the area, especially for children.

Mr. Hersee thanked the PPNA for their efforts working with the town to find resolutions to the problems in the area.

He went on to say that as landowners, the town is within its rights to set such limitations.

Mr. Pickard questioned if the Wenham bylaw has enough power to enforce not allowing dogs on the beach. Acting Chief Walsh identified that the Dog Officer is in support of prohibiting dogs on the beach.

The Resident only concept was addressed. Mr. Chelgren identified that this will be a sticker program. He has spoken to printing companies regarding cost and turn around time and the program is easy to implement. He said that the production cost per sticker is \$1-\$2 and they can be obtained within a week. The BOS was presented with three sticker design options for consideration. Mr. Chelgren went on to suggest that because the stickers are being implemented in mid season that they be free of charge this year.

Mr. Chelgren added that the insurance carrier would be consulted regarding the liability to the town caused by opening the beach parking lot even though the beach remains closed.

Mr. Pickard identified his concern regarding the possible liability to the town through providing stickers for parking and while the beach remains closed but added that he supports not allowing dogs on the beach.

Mr. Tanous noted that the parking will be open as soon as possible after legal counsel and the Town's insurance company are consulted.

Mr. Hersee moved that the following motions all be subject to favorable opinions from MIIA and legal counsel.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to restrict parking at the Pleasant Pond beach to Hamilton/Wenham residents and to direct the WPD to enforce this restriction. Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Pickard moved to vote to enforce the "Wenham and Hamilton residents only restriction" and that the Town Administrator be directed and duly authorized to develop and implement a beach parking sticker program which is to be put into place prior to August 8, 2005 the details of which are to be presented to this board on August 9, 2005.

Mr. Hersee seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to restrict parking in the Pleasant Pond Beach parking lot to the hours of 9:00AM-6:00 PM and to direct the Police Chief to assist in this process by having the daily patrols open and close the parking gate accordingly.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Pickard moved to instruct the Town Administrator to work with the Highway Department to provide adequate parking for anglers to be accessible at all times. This parking is to be made available at the earliest opportunity given the resource limitations of the town. Mr. Hersee seconded and the motion was approved by unanimous vote.

Mr. Hersee moved that the town ban dogs on Pleasant Pond Beach from May 1st - October 1st of each year and that the Town's Animal Control Officers and Police Officers enforce this ban.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Traffic Survey - Pleasant Street

Acting Chief Walsh identified that a traffic survey was conducted on Pleasant Street from July 2-8, 2005. He noted that during the time of the survey, the beach-parking gate was closed, and the speed limit signs had been repositioned.

Chief Walsh identified that the speed limit on Pleasant Street is posted at 25 mph.

He told the BOS that during the survey the average speed was 23/24 mph; one vehicle was recorded going 41-45 mph. He went on to say that 592 vehicles were tracked going both ways.

NEW BUSINESS

Appointments

WPD - Authorization To Hire

Full Time Patrolman - Acting Chief Walsh was present. He told the BOS that, as authorized, he posted the Full Time Patrolman position opening on June 22, 2005.

After conducting interviews of several well qualified applicants, the Command Staff recommends that Reserve Officer Eric Clarizia be appointed a full time Patrolman effective July 31, 2005. Chief Walsh told the Selectmen that Clarizia is a 12 year veteran of the WPD and was trained through the Police Academy, which he attended on his own time and at his own cost.

Mr. Hersee moved to accept the recommendation and appoint Officer Eric Clarizia as a full time Patrolman. Mr. Pickard seconded and the motion was approved by unanimous vote.

Police Detective - Chief Walsh went on to say that on June 22, 2005, the position of Police Detective was posted.

He told the BOS that the Command Staff recommends Officer Mark Fraser for the position of Police Detective. He is a 14 year veteran on the WPD and has been on the force full time for 5 years. This appointment is also effective July 31, 2005.

Mr. Pickard moved to promote Officer Mark Frasier to Detective.

Mr. Hersee seconded and the motion was approved by unanimous vote.

Establishment of Committees – Elderly, Education and Scholarship Funds

Mr. Tanous identified that, according to the law, committees need to be established to oversee the funds being generated by the opportunity for residents to donate when paying their tax bills. He went on to say that the Town has existing committees that can work with the established committees. He identified that the WVIS has a scholarship program and can work with the Education Committee. The WISSH Committee can work with the Elderly and Disabled Committee. No action was taken at this time. Mr. Tanous asked that residents interested in serving on any of these committees call the Town Administrator's office.

Vacancy on Iron Rail Committee

Mr. Chelgren identified that the Chair of the Iron Rail Committee, Tara Rand, is recommending that Ted Wadsworth of Perkins Street be appointed to the to the IRC to fill the vacancy created by Charlie Thibeault's resignation.

Mr. Hersee moved to appoint Ted Wadsworth of Perkins Street to the IRC.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Substitute COA Van Drivers

Mr. Tanous identified that the COA van program needs additional drivers to fill in for regularly scheduled drivers during vacation, sick time, etc.

He went on to recommend that Butch Crosby of Hamilton and William Jenkins of Wenham be appointed as volunteer drivers.

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Mr. Pickard moved to appoint Butch Crosby of Hamilton and William Jenkins of Wenham as substitute drivers for the H/W COA van program

Historical District Commission

Mr. Pickard said that a licensed realtor has expressed an interest in serving on the HDC. He went on to identify that Tyson Goodridge of Arbor Street has approached the BOS about being appointed to the HDC. Mr. Pickard noted that according to Mass General Law, one of the Commissioners is required to be a member of the Board of Realtors.

Mr. Pickard moved to appoint Tyson Goodridge to the HDC

Mr. Hersee seconded and the motion was approved by unanimous vote.

Community Preservation Committee – Nine members

Mr. Chelgren identified that the CPC will consist of nine members.

He went on to recommend that Jamie White of Larch Row be appointed to that Committee.

Mr. Pickard moved to appoint Mr. White to the CPA C

Mr. Hersee seconded and the motion was approved by unanimous vote.

Reports

Mr. Chelgren identified that he meets with the Department Heads on a weekly basis, which includes Acting Police Chief Walsh. The Call Firefighters negotiations are a part of these discussions. They have met and will continue to meet with the union on a regular basis and he will report to the BOS. Mr. Chelgren identified a request from the Wenham Museum and other businesses in the town center to display 10' by 2' banners that would be uniform in style to promote Wenham Days on August 20, 2005. The requests include putting the banners up two weeks prior to August 20, 2005 and to remain up for one week after August 20th.

It was the consensus of the BOS to allow the request to proceed to the Planning Board and the HDC but not to authorize the banners to continue to be displayed after August 20, 2005.

Mr. Chelgren said that the Town could put “stuffers” in the tax bills to promote the option to donate to three accounts, the Education Fund; the Elderly and Disabled Fund; and the Scholarship Fund. He went on to identify that this will increase the cost to the Town by \$450.00 annually. Mr. Tanous suggested that this be tried for one year. It was the consensus of the BOS that the stuffers be tried for a year.

Boulder Lane Study Committee – Mr. Chelgren requested authorization to establish a Boulder Lane Study Committee to make a recommendations to the BOS regarding the best use of the land for the town. He identified Boulder Land as 14 acres of dry land located off Grapevine Road that is residentially zoned.

He identified that he has three volunteers for the committee.

It was the consensus of the Selectmen to postpone action at this time to determine the structure, charge and appointment process for this committee.

The BOS and Town Administrator confirmed the BOS retreat for Thursday August 18, 2005 at the library from 9AM – 2 PM.

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Water Commissioners minutes - Mr. Hersee questioned that the BOS approved a 5 year payback to the town for money used by the Water Commissioners for legal counsel to contest the new DEP standards. Mr. Chelgren identified that the Water Commission has paid the town back in full.

Mr. Tanous identified that SeniorCare is organizing a meal delivery program called Mayors for Meals and that he will participate.

Minutes

Mr. Hersee moved to approve the BOS meeting minutes of June 16, 2005 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS meeting minutes of June 7, 2005 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS policy meeting minutes of June 13, 2005 with edits as indicated.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS meeting minutes of June 21, 2005 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS meeting minutes of June 29, 2005 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS Executive Session meeting minutes of June 7, 2005 with edits as indicated.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS Executive Session minutes of June 13, 2005 with edits as indicated.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Hersee moved to approve the BOS Executive Session minutes of June 21, 2005 with edits as indicated.

Mr. Pickard seconded and the motion was approved by unanimous vote.

8:56 PM - Mr. Pickard moved to adjourn and it was unanimous to do so.